



Suwannee County Sheriff's Office

General Order

5.05 - Body Worn Cameras

PUB: 12-11-2017

STATUS: Current

EFFECTIVE DATE: December 11, 2017

RESCINDS: NEW

A. PURPOSE:

- A.** The purpose of this order is to establish guidelines for the use, management, storage and retrieval of Body Worn Cameras (BWC) and video recordings.
- B.** This Agency has adopted the use of the BWC in order to accomplish several objectives. The primary objectives are as follows:
 1. Enhance accountability and public trust by preserving evidence of officer interaction with citizens;
 2. Capture digital audio-video evidence for criminal, civil and traffic-related court cases;
 3. Assist Deputies with recalling facts and other details captured by the equipment that will help them accurately articulate a chain of events when writing reports;
 4. Serve as a training tool for Deputy safety and best practices, and
 5. Assist in the assessments of contacts between Deputies and citizens by reviewing procedures and interpersonal actions.
- C.** In order to enhance the services provided to the community, it is the policy of the Suwannee County Sheriff's Office to provide those Deputies who are primarily assigned to patrol functions with a BWC designed to record both audio and video. The BWC shall be used to assist authorized personnel in the performance of their duties by providing an accurate and unbiased recorded account of an incident, thereby reinforcing the community's perception of our professionalism and transparency. This policy is intended to achieve an appropriate balance between the benefits of the BWC devices and the community's and Deputy's reasonable expectation of privacy.
- D.** BWC are not a substitute for a Deputy's reasonable beliefs and perceptions, and cannot account for a Deputy's physiological response during critical incidents, such as visual tunneling and auditory exclusion. BWCs should not be viewed as the only measure of truth because they may show more or less than what the Deputy sees, hears, and/or observes. BWCs, however, have an important, but limited use as one of many law enforcement tools.



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B. SCOPE: This order shall be applicable to all Deputies. The Sheriff will decide which members will be issued a BWC. The issuance of BWC equipment, data access, and maintenance will be handled by the BWC Unit.

C. PROCEDURES

A. Definitions

1. *Activation:* Any process that causes the body camera to store video and audio data in an active mode;
2. *Advisement:* Statement made by a Deputy at the outset of using a BWC to record a communication, conversation or interaction with a citizen. This statement is made for the specific purpose of informing the citizen that the communication or conversation is being recorded;
3. *Audio Recording:* The electronic recording of a conversation, spoken words, or other sounds;
4. *Body Worn Cameras (BWC):* The camera system that captures audio and video signals, capable of being worn on a Deputy's person that includes at minimum a camera, microphone, and recorder;
5. *BWC Downloading:* The act of transferring recorded data from the BWC to the storage server;
6. *Classification Tags:* A method to mark and store BWC recordings for a specific purpose and for which a predetermined retention period has been set;
7. *Consent:* Consent to record shall be considered when the recording party has announced to all other parties engaged in the communication or conversation, in any reasonably effective manner, that such communication or conversation is being recorded. The announcement must also be recorded;
8. *Deactivation:* Any process or action that causes a BWC to stop recording and storing both audio transmission and visual images;



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9. *Docking the BWC:* The process by which a Deputy places the BWC into network-attached data transfer device, causing videos previously recorded on the BWC to be downloaded to the storage server;
10. *Metadata:* Information that is used to identify the Deputy to whom the BWC is issued, the date and time each video was recorded, and the Deputy interaction/offense categorization of the BWC recording;
11. *Deputy:* Used in this order to include any personnel who wear, use, maintain, store, or release audio or video data recorded by body cameras;
12. *Recorded Media:* Audio-visual signals recorded and digitally stored on a storage device or portable media; and
13. *Video Recording:* The electronic recording of visual images with or without an audio component.

B. General

1. Failure to adhere to the recording requirements of this policy could subject the Deputy to disciplinary action up to and including dismissal.
2. All issued BWC equipment and recordings are the property of the Suwannee County Sheriff's Office.
3. Deputies are prohibited from using privately-owned BWC in an official capacity while on or off duty.
4. Deputies will be in a uniform or have their badge prominently displayed when using a BWC.
5. BWCs will only be worn on the Deputy's torso as intended and may not be moved to obstruct or change the intended view.
6. Deputies should restrict recording to areas and persons necessary in order to obtain evidence and information relevant to the incident and should attempt to minimize collateral intrusion to those not involved.



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7. BWC recordings are neither a replacement for written reports nor a replacement for recorded investigatory statements.
8. Deputies equipped with BWC who are on the scene of an incident and are not the primary reporting Deputy shall inform the reporting Deputy of the BWC recording so that the primary Deputy may record this information in their report. The activation and deactivation of BWC will be documented in the General Offense report, Arrest report, Field Investigative report, CAD notes, traffic citation, civil citations, or misdemeanor citations as applicable.

C. Activation / Deactivation

1. There are many situations where the activation of the BWC is appropriate and/or required and this policy is not intended to describe every possible circumstance. It is understood that not all situations will clearly start out as necessitating documentation by the BWC nor will all recorded events have a clear ending for when the BWC is no longer required. Deputies are expected to follow agency policy and procedure, utilizing ethical and legal discretion as well as good judgement when activating and deactivating the BWC. When safe to do so, Deputies who are assigned BWCs whether primary or backup will activate their BWC prior to exiting their vehicles to initiate any investigative or enforcement activity involving a member of the public to include:
 - a. Advising an individual of their Miranda rights (not applicable if the interaction occurs in an interview room where a recording device has been activated);
 - b. Arrests and transports
 - c. Citizen contacts that become verbally/physically confrontational and may lead to the use of force;
 - d. Consent to Search / Search Warrants
 - e. Statements made by individuals in the course of an investigation or complaint;



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- f. Crowd control, protest or mass arrest incidents. Deputies shall not record First Amendment assemblies for the purpose of identifying and recording the presence of individual participants who are not engaged in unlawful activity.
- g. DUI investigations including field sobriety exercises;
- h. Emergency responses;
- i. Enforcement related secondary employment;
- j. Foot pursuits;
- k. High risk encounters such as but not limited to: execution of an arrest warrant, barricade situations, and active shooter situations). Activation is not required during tactical discussion.
- l. Inventorying of seized narcotics, money, or any high value property.
- m. Other investigative or enforcement activities where, in the Deputy's judgement, a video recording would assist in the investigation or prosecution of a crime or when a recording of an encounter would assist in the documentation of the incident for later investigation or review;
- n. Pedestrian stops, to include Deputy initiated consensual encounters;
- o. Statements made by suspects;
- p. Suspicious vehicle investigations
- q. Traffic stops, to include but not limited to: traffic violations, stranded motorist assistance, and all criminal interdiction stops;
- r. Upon the order of a higher-ranking Deputy;
- s. Vehicle pursuits;



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- t. Vehicle searches;
- u. While securing the perimeter on an active scene; and
- v. Witness or victim interviews (See Exceptions).

Deputies may happen upon a situation requiring immediate action to prevent injury, destruction of evidence, or escape. In these situations, Deputies should activate the BWC if doing so does not place them or others in danger. Otherwise they shall activate the BWC at the first available opportunity when the immediate threat has been addressed.

2. BWC activation is not required during the following circumstances:
 - a. While performing administrative functions such as, report writing after the citizen/arrestee interaction has ended;
 - b. During non-enforcement activities, such as, when protecting a traffic crash scene (directing traffic) or assigned to a static post where he/she is not in contact with citizens, involved in an enforcement action or actively part of an investigation, then he/she may deactivate the BWC to conserve battery life. The BWC will be reactivated if any of these fails to apply;
 - c. During court proceedings, unless an in-view incident occurs;
 - d. When on break or otherwise engaged in personal activities; or in designated break areas unless an active pre-existing investigation is underway and authorized by law;
 - e. When discussing a specific case or exploring investigative strategies or options with others;
 - f. In situations when the community members, witnesses, crime victims, or other parties wish to share information related to criminal activity, but refuse to do so while being recorded, Deputies will have the discretion to turn off the BWC



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during the interview. The preference is to record such statements; however, it is recognized that such person may be hesitant to provide information while being recorded due to a fear of retaliation, privacy concerns or a feeling that the information is sensitive. In these situations, a Deputy may decide that obtaining the information is more important than recording the conversation;

- g. When a prohibited use of the BWC is encountered during an active recording, Deputies will deactivate their BWC when it is safe, practical, and possible to do so.

3. Deactivation

- a. A Deputy may deactivate their BWC
 1. Contact is completed;
 2. An incident is concluded;
 3. Instructed by a supervisor (name them) to end a recording;
 4. Upon a LEO sensitive discussion and/or
 5. Victim/Witness request.
- b. Prior to deactivating the BWC, Deputies will make a recorded announcement as to the reason the device is being deactivated.
- c. After a Deputy deactivates their BWC, it is their responsibility to ensure they reactivate their BWC should the circumstances require it.



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- d. It shall be deemed a violation of this policy for a Deputy to fail to activate the BWC or intentionally terminate a recording in order to commit a violation of agency policy.

D. Prohibitions / Restrictions

1. Deputies are prohibited from using their BWC for any other purpose other than their official law enforcement duties.
2. Deputies shall not record a particular person based solely upon the person's race, color, religion, national origin, gender, age, marital status, personal appearance, sexual orientation, identity or expression, family responsibility, homelessness status, physical disability status, matriculation, or political affiliation.
3. Deputies shall not intentionally record juveniles not involved in criminal activity, or while in a person's residence. The recording of juveniles is for official purposes only.
4. BWC shall not be used to capture legally privileged communications as defined in F.S. 90 (e.g., sexual assault counselor-victim privilege, domestic violence advocate-victim privilege, attorney/client, doctor/patient, etc.).
5. BWC shall not be used surreptitiously.
6. BWC shall not be used to record undercover law enforcement officers or confidential informants.
7. BWC shall not be utilized within 1000' of a bomb threat scene.
8. Deputies shall not activate a BWC while inside of any Sheriff's Office or County owned facility, unless the Deputy is in the process of handling an official law enforcement matter.
9. BWC shall not be activated during shift briefings, during non-law enforcement staff meetings, hearings and encounters with other Deputies, supervisors, or command staff.
10. BWC shall not be used during an administrative investigation/interview.



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11. Deputies shall not use the BWC as a means to conduct a field show up of a suspect.
12. Deputies shall not intentionally use the BWC recording functions to record any personal conversation of, or between another Deputy or employee.
13. BWC shall not be activated when discussing strategic or tactical operations.
14. BWC shall not be activated during training (e.g., firing range, or in-service training)
15. Deputies shall not make copies of any recording; disseminate any recording to the public, any media outlet, social media, or any other employee except in the course of official duties. The posting of BWC footage to any social media site, without prior written approval of the Sheriff or designee is strictly prohibited, and will result in termination.
16. Deputies shall not capture a screen shot of the BWC recordings for their personal use and are prohibited from using a recording device such as a cell phone camera or secondary video camera to record such.

17. Deputies will not use any other electronic devices or other means in order to intentionally interfere with the capability of the BWC.
18. Deputies will not allow citizens to review the recordings.
19. Each BWC is configured for a single user. Therefore, no Deputy shall use a BWC not assigned to them.
20. Deputies will not erase, alter, reuse, modify or tamper with any recording.

E. Privacy Considerations / Citizen Advisement

1. The Fourth Amendment of the U.S. Constitution protects people, and provides them with a reasonable expectation of privacy from government intrusion. Guidance explaining protections against unreasonable search and seizure can be found in the case of *Katz v. United States*, 389 U.S. 347 (1967), which extends Fourth Amendment protection to all areas where a person has a "reasonable expectation of



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privacy". In summary, the court found that the government may not intrude into places, unwanted, when a person enjoys a reasonable expectation of privacy.

If a Deputy is lawfully present (e.g., arrest warrant, search warrant, conducting a criminal investigation, or exception to the warrant requirement) at a location where a person has a reasonable expectation of privacy (e.g., residence, restroom, dressing room, locker room, hospital or mental health facility), there is no requirement that the Deputy inform the person that video is being taken. Additionally, there is no requirement that the Deputy discontinue use of the BWC upon an individual's request. **Exception:**

Deputies shall inform victims of sexual assaults when they are being recorded and provide them with the option to not be recorded (e.g., "Ma'am/Sir, I am advising you that our interaction is being recorded")

2. Deputies who are invited into a location where a person has a reasonable expectation of privacy, and the Deputy otherwise has no legal right to occupy that space, shall inform the person they are being recorded. If the person requests that the Deputy not to record, the Deputy shall discontinue use of the BWC. The Deputy should attempt to capture the individual's request to stop the recording prior to deactivating the BWC.
3. As a general rule, if the Deputy must legally ask permission to enter a premise, they should ask if the resident will allow the Deputy to record.
4. When a Deputy is asked whether a BWC is being utilized, the Deputy shall disclose that they are recording. A Deputy shall not lead a person to believe that the BWC has been deactivated when in fact, the BWC is left active. Deputies are not required to playback BWC recordings to allow the public to review video footage.

Deputies are reminded, they may inform the victim or others present at the scene, that BWC recordings taken inside a personal residence, medical, mental, or social service facility, places where there is a reasonable expectation of privacy or related to an incident of domestic violence, stalking, or sexual assault will be withheld from release to the public pursuant to F.S. 119.

F. Accidental Recordings



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1. In the event of an accidental activation of their BWC where the resulting recording has no investigative or evidentiary value, Deputies shall report the incident to the BWC System Administrator.
2. Deputies will mark the video "Pending Review". If a public records request is received for a video marked "Pending Review", such request will be forwarded to the BWC System Administrator who will review the video and determine whether the recording, or a portion thereof, is a public record and whether any public record exemptions apply.
3. Deputies shall ensure the request contains sufficient information (e.g., date, time, and Deputy's ID number) to assist in locating the accidental recording.

G. Secondary Employment

1. Deputies issued a BWC shall adhere to all aforementioned guidelines and procedures regarding the BWC while performing enforcement type secondary employment duties.
2. Any video captured must be downloaded when the Deputy returns to their regular assignment. The Deputy will complete the download at the beginning of their shift, unless otherwise directed by a supervisor.
3. Any critical incident: Deputy involved shooting, in-custody death, response to resistance incident (resulting in a serious or alleged serious injury), Deputy involved traffic crash, pursuit with fatalities or serious injuries, serious injury or death of a Deputy in the line of duty, captured by the BWC must be downloaded in the same manner as the data had been collected while the Deputy was on duty.

H. Off Duty

1. It is recognized that off duty Deputies not in uniform may have to make enforcement stops or respond to a law enforcement need while off duty, which may result in incidents not being recorded. When this occurs, the Deputy shall



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document their actions and reason for not having their BWC via the applicable report, document, or CAD notes.

2. However, off duty Deputies in uniform are required to adhere to the rules and regulations outlined in this policy as if they were on duty.

I. Deputy Responsibilities - Equipment Inspection, Maintenance and Repair

1. Deputies are responsible for the proper care of the BWC used by and/or issued to them.
2. Prior to each shift, the Deputy will perform the following steps:
 - a. Ensure that the BWC is fully charged and working properly. Deputies will test the BWC's operation in accordance with the manufacturer's specifications and agency operating procedures and training.
 - b. Deputies are to attach the BWC directly to their uniform or person in a manner that allows optimum recording of video and audio.
 - c. If the BWC is malfunctioning, Deputies will notify the BWC System Administrator, who will replace it as soon as possible.
3. Malfunctions, damage, loss, or theft must immediately be reported to the Deputy's immediate supervisor as soon as practical. A General Offence / Incident report must be completed when a BWC is damaged, lost or stolen.
4. Deputies shall notify their immediate supervisor of any BWC recording believed to have captured any employee of the Suwannee County Sheriff's Office involved in misconduct or criminal activity.
5. Deputies are required to provide a written explanation for failing to activate the BWC prior to initiating a law enforcement or investigative contact when required, and when the Deputy fails to record the entire contact. Documentation shall be provided in at least one of the following reports, as appropriate: Traffic citation, civil



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citation, misdemeanor notice to appear, and General Offence Report, Arrest Report, Field Investigative Report, and/or CAD notes.

6. Deputies are responsible for properly applying a classification tag to all recordings with the appropriate category to ensure proper retention periods apply to each recording in accordance with agency policy and state law.
7. Deputies will use the most appropriate and highest-level classification tag as determined by involvement, response, and/or arrest and place appropriate event and/or case numbers in the classification notes section. This classification should be done shortly after the recorded incident is concluded, but must be done prior to download at the end of the Deputy's shift.

J. Data Access and Responsibility / Review

1. Access

- a. All Deputies who are authorized to wear, use, maintain, or store body cameras will be trained in the BWC policy and procedures prior to obtaining access to the BWC System. Additionally, all Deputies who use maintain, store, or release audio or video data recorded by BWC will be trained in the BWC policy and procedures prior to obtaining access to the BWC System. Authorized Deputies shall only access BWC footage under the following conditions in accordance with their assigned duties:
 - b. Deputies shall be allowed to review the recorded footage from their BWC, upon their own initiative or request, before writing a report or providing a statement regarding any event arising within the scope of their official duties. Any such provision may not apply to a Deputy's inherent duty to immediately disclose information necessary to secure and active crime scene or to identify suspects or witnesses.
 - c. By a Deputy to make sure the BWS is working properly.
 - d. By members of the BWC Unit for processing a public record request. Request for video or audio recordings will be handled in accordance with Chapter 119 of the Florida Statutes.



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- e. All access to BWC data (images, sounds, and metadata) must be specifically authorized by the BWC System Administrator or his designee, and all access is to be audited to ensure that only authorized users are accessing the data for legitimate and authorized purposes.
- f. For Data Analysis and Program Evaluation: The effectiveness of the BWC Program will be evaluated at least annually by the BWC System Administrator. The findings of the evaluation will be forwarded to the Chief Deputy for review.

2. Supervisor Responsibilities

- a. To ensure that this program maintains its integrity, it is important that supervisors ensure the Deputies equipped with BWC devices utilize them in accordance with policy and procedures defined herein.
- b. Upon receipt of randomly selected recording from the BWC System Administrator, the supervisor shall review the recording to ensure that the equipment is operating properly and that Deputies under their command are using the devices appropriately in accordance with policy and to identify any areas in which additional training or guidance is required.
- c. Supervisors are also required to review all BWC media under the following circumstances:
 1. A Response to Resistance Report is generated;
 2. Upon completion of a Pursuit Report;
 3. The supervisor is investigating a specific act of a Deputy's alleged misconduct; or
 4. The Deputy has been placed on a performance improvement plan to address identified behavioral or performance deficiencies.

Supervisors shall contact the BWC System Administrator to request access to the applicable BWC footage.

- d. When the supervisor is notified of a malfunctioning BWC, the supervisor will ensure that the Deputy respond to the BWC Unit to have the BWC replaced as soon as possible.



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- e. Ensure that prior to the end of the shift, Deputies download their assigned BWC.
- f. When a Deputy does not activate or deactivate their BWC as required, supervisors shall determine if the delayed or non-activation was reasonable based upon the circumstances. The supervisor will take appropriate actions as outlined in agency policy.
- g. Supervisors who are made aware of minor infractions of policy and procedure may handle the incident as a training issue. Supervisors should use the opportunity to counsel with the Deputy to ensure no further violations occur. However, the recordings may be used as evidence in any administrative, judicial, legislative, or disciplinary proceeding. During the initial implementation period, failures to activate or deactivate the BWC will be handled as training opportunities.
- h. Supervisors who are made aware of serious infractions of policy and procedure shall immediately report the incident to their Division Director or Chief Deputy as applicable.
- i. Commanding Staff have the same responsibilities as those listed for supervisors.

K. Critical Incidents and Special Circumstances

1. During the course of a shift, Deputies equipped with BWC may encounter situations where critical incidents or special circumstances are captured on video. Those situations require an immediate response from supervisors and command staff to include, but not limited to, the following: Deputy involved shooting, in-custody death, response to resistance incident (resulting in a serious injury or alleged serious injury), Deputy involved traffic crash, pursuit with fatalities or serious injuries, serious injury or death of a Deputy in the line of duty.
2. During one of these critical incidents or special circumstances the following actions will be taken:
 - a. Recordings related to a criminal or administrative investigations will be treated as any other digital evidence. To ensure proper chain of custody, the BWC shall remain in the sole possession of the assigned Deputy until the designated investigator takes custody of the BWC.



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b. Under no circumstances will a Deputy record a conversation with legal representation.

c. Supervisors shall ensure that prior to a Deputy going back in service that the Deputy is equipped with a BWC.

L. Criminal / Administrative Investigation of a Deputy

1. Investigators are responsible for requesting BWC recordings only relevant to cases they are assigned. Investigators conducting criminal or administrative against a Deputy shall:
 - a. Obtain a listing of each Deputy, including the subject Deputy, present at the incident, and documentation of whether that Deputy was equipped with a BWC, and whether the BWC was activated.
 - b. Ensure that all related BWC recording have been downloaded to the storage server.
 - c. Request and view all available BWC footage to determine whether the BWC file is of evidentiary value and process it in accordance with established protocol.
 - d. Request the BWC System Administrator add a category "Internal Affairs" to the recordings related to their investigations.
 - e. Request that the BWC System Administrator restrict access to all BWC recordings related to the criminal or investigative investigation.
 - f. Request that the BWC System Administrator restrict public disclosure of the BWC file in criminal or internal investigations, as necessary, in accordance with the public records laws.
 - g. Investigators shall notify the BWC System Administrator to remove the access restriction when the criminal/internal investigation is closed or the BWC footage is no longer protected under the provisions of the public record laws.



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M. Docking / Storage and Security Procedures

1. At the end of the Deputy's shift, Deputies will securely download the media contained on their BWC utilizing the approved download procedures. BWC media will be stored utilizing a secure storage server and backed up for redundancy purposes. All media will be stored utilizing approved security methods in compliance with Criminal Justice Information Standards (CJIS) standards.
2. At no time shall any Deputy other than the Deputy issued the BWC touch, handle, or remove the BWC from the docking station. The only exception to this is: Removal by the BWC System Administrator for a maintenance related issue, or by an investigator working an administrative or criminal investigation where the BWC contains evidence related to an active investigation.
3. Files will be securely stored in accordance with state record retention laws and no longer than useful for the purposes of training and for used in an investigation or prosecution.
4. Each video recording shall have a chain of custody audit trail which documents all events associated with the file.

N. BWC System Administrator

1. The BWC System Administrator is designated as the Custodian of Records for all BWC data files and has oversight responsibilities to include, but not limited to:
 - a. Ensuring that Deputies are trained in the use of the BWC System and equipment prior to issuance.
 - b. Ensuring access level and roles to users in the BWC System as directed and/or approved by the Chief Deputy or his designee



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1. Deputies have access to only their recordings;
2. Lieutenants and above have access to all recordings captured by Deputies under their command;
3. Authorized State Attorney Users have access to BWC recordings that contain evidentiary data related to a prosecutorial criminal case; and
4. BWC System Administrator has access to all recordings.

- c. Assigning passwords to authorized users.
- d. Ensure Deputies are assigned a fully functioning BWC. Malfunctioning BWC shall be replaced immediately.
- e. Maintaining an accurate listing of all BWC users.
- f. Providing technical support for malfunctioning BWC equipment and facilitate all warranty repairs with the vendor.
- g. Policy and procedure review and evaluation.
- h. Management of the digital data storage management system.
- i. Ensure BWC files are secured and retained in accordance with record retention laws.
- j. Ensure BWC files are reviewed and released in accordance with federal, state statutes and agency policies.
- k. Responsible for making copies of BWC files for court presentation, criminal/administrative investigations.
- l. Responsible for the disposal of copied BWC media not admitted as evidence in court or part of an administrative investigation.
- m. Providing administrative support regarding the BWC System.



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- n. Assigning personnel for the purpose of "sharing" BWS digital media evidence with the State Attorney's Office.
- o. Responding to requests for public records of BWC files.

- p. Redacting or deleting any video in accordance with local, state, and federal laws governing the release of such materials. Any video redacted shall be documented and filed for recording purposes.
- q. The BWC System Administrator shall review accidental recordings and determine whether or not the recording had an official purpose. If the recording had no official purpose, the BWC System Administrator shall document this in the recording notes and delete the recording. An audit log on the history of every recording will be maintained in the storage database.

O. Audits of BWC Recording Data

1. The BWC System Administrator shall be responsible for conducting audits of BWC footage, and shall ensure accountability and compliance in accordance with the guidelines and procedures in this order.
2. Monthly the BWC System Administrator shall randomly select BWC footage to be reviewed by the Deputy's supervisor.
3. Any violations regarding this policy, as it pertains to local, state, or federal laws shall be documented and submitted to the Sheriff and/or Chief Deputy for further review.

P. Training

1. All Deputies who have access to the BWC System must complete an agency approved training program to include:
 - a. Camera operation (Activation and Deactivation);



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- b. Proper Placement of the camera on the uniform;
- c. Department policy and relevant state/federal laws on camera usage;
- d. Review of procedures for recordings to be used as evidence;
- e. Basic maintenance;
- f. Procedures to documenting and reporting malfunctioning to their issued BWC;
- g. Procedures for downloading and classifying recorded data
- h. Procedures for accessing and reviewing recorded data; and

Q. Record Requests

- 1. Authority governing the release of reports containing criminal investigative information and criminal history information is found in various State and Federal Statutes and Administrative rules and directives including by not limited to:
 - a. Florida Statues Chapters 39, 119, 257, and 943 and
 - b. Chapters 1B-24, 26, and 27, Florida Administrative Code
- 2. Public Record requests shall be accepted and processed in accordance with the provisions of federal law, state law (F.S. 119). The request shall be forwarded to the BWC System Administrator for processing.

R. Retention and Disposal of Body-Worn Camera Video / Audio Recordings

- 1. The retention of BWC recordings will be in accordance with the General Records Schedule as published by the Secretary of State for Law Enforcement Agencies GS2 in the publication consulted for guidelines when planning records disposal.
- 2. Recordings are managed for retention by software applications. Recordings are retained in accordance with this policy and statutory requirements addressing the storage of evidence. The software is programmed to perform automated purges to delete recordings set to expire as provided in this policy.



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3. A non-event classification tag is defined as a recording that was the result of an accidental activation of a BWC. A non-event classification tag may also be a recording wherein the Deputy had no contact with a citizen and no law enforcement action was warranted.
4. Recordings must be retained according to the mandates or retention periods established by local, state, or federal law, the statute of limitations, and if applicable, Sheriff's Office policy. Recordings that do not qualify for retention beyond the default and minimum retention periods may be deleted by the BWC System Administrator.
5. If a recording does not meet the criteria for retention, but a Deputy or supervisor believes a recording may be worthy of retaining based on the circumstances of the event, they shall consult with the BWC System Administrator.
6. BWC recordings may only be deleted by the BWC System Administrator or approved employee authorized by the Sheriff or his designee.
7. It is the responsibility of the BWC System Administrator (or other authorized designee) to extend the retention rate if it is determined the recording should be archived for future court proceedings, administrative access, or otherwise may serve to support criminal and civil statute of limitations (capital or life felonies, evidence preservation requests, DNA evidence, etc.) and if applicable, that copies are stored on DVD, or other approved media in support of such extension.
8. Only employees designated by the Sheriff may satisfy request for public copies of BWC files. BWC recordings obtained shall not be released to the public without prior approval of the BWC System Administrator (or their designee). Request for copies of recordings that extend outside of the agency or the Office of State Attorney shall be subject to the provisions of Chapter 119, Florida Statues.

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SAM ST JOHN

SHERIFF, SUWANNEE COUNTY